

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MICHAEL MURPHY,

Plaintiff,

v.

NATHAN & NATHAN, P.C.,

Defendant.

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Case No. 2:07-cv-849-WKW

MOTION TO AMEND ANSWER

Comes now the defendant, Nathan & Nathan, P.C., and moves the Court to allow it to amend its Answer to add defenses. A copy of the proposed Amendment is attached hereto as **Exhibit A** and made a part hereof.

/s/ Ronald G. Davenport

RONALD G. DAVENPORT (DAV044)

Attorney for Defendant Nathan & Nathan, P.C.

OF COUNSEL:

Rushton, Stakely, Johnston & Garrett, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James D. Patterson, Esq.
Earl P. Underwood, Jr., Esq.
Law Office of Earl P. Underwood, Jr.
P. O. Box 969
Fairhope, AL 36533

/s/ Ronald G. Davenport
OF COUNSEL

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AMENDMENT TO ANSWER

Comes now the defendant, Nathan & Nathan, P.C., and amends its Answer heretofore filed to add the following defenses:

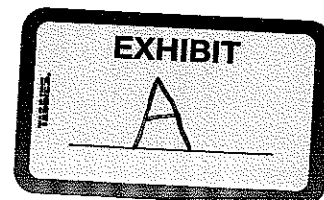
25. For a first, separate and distinct defense, this defendant pleads the defense of "bona fide error."

26. For a second, separate and distinct defense, this defendant asserts the defense of bona fide good faith.

27. For a second, separate and distinct defense, this defendant avers that the applicable statute of limitations expired prior to the commencement of plaintiff's action against this defendant.

28. This defendant reserves the right to amend and add other defenses as may later become apparent and applicable.

/s/ Ronald G. Davenport
RONALD G. DAVENPORT (DAV044)
Attorney for Defendant Nathan & Nathan, P.C.



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